

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MUMIA ABU JAMAL, et al., : **CIVIL ACTION NO. 1:14-CV-2148**

Plaintiffs : (Chief Judge Conner)

v.

**KATHLEEN KANE, Attorney
General of Pennsylvania, et al.,** :

Defendants :

PRISON LEGAL NEWS, et al., : **CIVIL ACTION NO. 1:15-CV-45**

Plaintiffs : (Chief Judge Conner)

v.

**KATHLEEN KANE, Attorney
General of Pennsylvania, et al.,** :

Defendants :

ORDER

AND NOW, this 6th day of March, 2015, upon consideration of the motions to dismiss filed by defendants Kathleen Kane, Attorney General of Pennsylvania, and R. Seth Williams, District Attorney for Philadelphia County, seeking to dismiss the above-captioned matters for lack of subject matter jurisdiction, see FED. R. CIV. P. 12(b)(1), and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. The motions to dismiss filed by R. Seth Williams, District Attorney for Philadelphia County, (Abu-Jamal, No. 1:14-CV-2148, Doc. 30; PLN, No. 1:15-CV-45, Doc. 24) are GRANTED to the extent the District Attorney seeks dismissal for lack of subject matter jurisdiction.

2. All claims against R. Seth Williams, District Attorney for Philadelphia County, in the above-captioned matters are DISMISSED. The Clerk of Court shall terminate the District Attorney as a party to both actions.
3. The motions to dismiss filed by defendant Kathleen Kane, Attorney General of Pennsylvania, (Abu-Jamal, No. 1:14-CV-2148, Doc. 31; PLN, No. 1:15-CV-45, Doc. 25) are DENIED.
4. The parties are notified that trial on the merits shall be consolidated with the preliminary injunction hearing. See FED. R. CIV. P. 65(a)(2). Trial on the merits shall commence at 10:00 a.m. on Monday, March 30, 2015, in Courtroom #2, United States Courthouse and Federal Building, 228 Walnut Street, Harrisburg, Pennsylvania. All counsel are advised that they are attached for trial on Monday, March 30, 2015.
5. The parties are directed to meet and confer with the goal of developing a joint stipulation of all facts necessary for resolution of plaintiffs' constitutional challenges and attendant requests for declaratory and injunctive relief. The joint stipulation shall be filed on or before Monday, March 23, 2015.
6. In the event the parties are unable to agree to a stipulation of facts on or before Monday, March 23, 2015, the parties shall separately notify the court by letter on the docket whether and to what extent documentary or testimonial evidence will be presented during trial.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania